

REMARKS

In response to the Office Action mailed January 14, 2004, Applicants amend their application and request reconsideration. No claims are added or cancelled so that claims 13-16 remain as the only pending claims.

The Examiner pointed out an error in the previous presentation of claim 15. This error is sincerely regretted and may have been the result of a software shortcut. The absence of the indication of any change in the claim, which was inappropriate, supports the conclusion that the error was inadvertent. In any event, the errors in the final paragraph of claim 15 are corrected here. Since this correction merely restores that paragraph to the form it would have had if properly amended in the previous amendment, no new issue is raised by that amendment.

The claims have been rejected based upon newly cited prior art references. Claims 15 and 16 were rejected as anticipated by Hosoya (U.S. Patent 6,259,332) and claims 13 and 14 were rejected as unpatentable over Hosoya in view of Okada (U.S. Patent 6,628,176). This rejection is respectfully traversed.

The two pending independent claims are analogs of each other. In claim 15, the concern focuses on the output capacitance of a transistor and includes an open stub capacitance that is connected to an output line. In the MMIC of claim 13, the focus is on the input capacitance of the transistor and the open stub capacitance is connected to the input line, not the output line. According to the Official Action, Hosoya anticipates claim 15 and Okada stands for the proposition that with knowledge of an arrangement affecting the output impedance of a circuit, one of skill in the art would recognize an analog circuit directed to the input capacitance and impedance, as in claim 13, Okada providing an example of how such an analog would be recognized. Applicants do not disagree with this proposition, providing Hosoya anticipates claim 15. However, for the reasons supplied below, there is no such anticipation.

Applicants do not disagree that the Examiner's application of Hosoya to claim 15. However, the comparison is not complete and consistent with the language of the properly presented claim, the claim that is presented here. There is no discussion in Hosoya, and none in Okada, concerning any insulating film that is around the transistor, for example the transistor identified as an FET1 in Figure 16 of Hosoya. There is no allegation that such a film would be inherently present in that structure and such an allegation would not be supportable without additional proof from the prior art of the existence of such a film. This insulating film is particularly important because it is present not only around the transistor, but it is also the same insulating film that is employed as the dielectric of the MIM capacitor. It is the presence of that insulating film, commonly within the MIM capacitor and around the transistor, that gives an

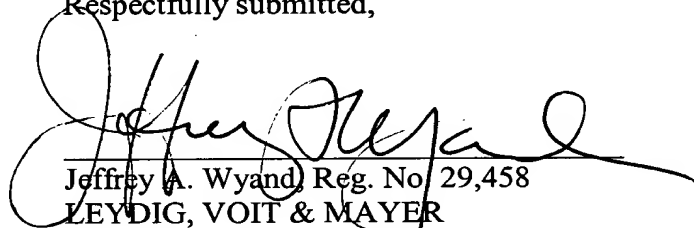
important feature to the invention, as discussed during the lengthy prosecution of this patent application. According to that feature, the variation in thickness of the film from one MMIC to another is compensated since the electrical effects of the changes on the transistor and MIM are in opposite directions. The Office Action makes no reference to the use of this common film in both locations and there is no pertinent discussion whatsoever in Hosoya concerning this important, express, and structural limitation of claim 15. Therefore, the rejection is erroneous because anticipation requires the description of every feature of a claimed invention in a single prior art publication. Hosoya fails that test as to the insulating film.

For the same reason claim 15 cannot be anticipated by Hosoya, dependent claim 16 cannot be anticipated.

As previously described, the rejection on claim 13 depends entirely upon the anticipation of claim 15 by Hosoya. Since there is no such anticipation, the rejection of claims 13 and 14 falls with the failure of the rejection of claim 15.

For the foregoing reasons, reconsideration of the rejection of claims 13-16 is earnestly solicited. In view of the failure of Hosoya to anticipate any pending claim, the rejection should now be withdrawn and all of claims 13-16 should finally be allowed.

Respectfully submitted,



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